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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,221	02/15/2002	Erich Horn	SWR-0077	3123

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EXAMINER

YAM, STEPHEN K

ART UNIT	PAPER NUMBER
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2878

DATE MAILED: 08/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/077,221

Applicant(s)

HORN ET AL.

Examiner

Stephen Yam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

This action is in response to Amendments and remarks filed on May 27, 2003. Claims 1-14 are currently pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 7-11, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Hyde, Jr. US Patent No. 6,038,553.

Regarding Claim 1, Hyde, Jr. teaches (see Fig. 7a and 7b) a method for a test of acceptability in an automatic vending machine, comprising feeding (115) a bank note to a digitalization station (53) (see Fig. 3) via a transport unit (within (53)), digitizing (121) the bank note and comparing (129) (see Col. 8, lines 33-36) the generated digital data with stored data in a computer unit to determine value, rendering an automatic decision regarding acceptability (see Col. 8, lines 36-39), and if the decision is negative, generating (215) (see Fig. 10) an image of the digital data for visual inspection by a service employee to render a final decision on acceptability (see Col. 5, lines 33-39 and Col. 10, lines 25-32). That is, since the data entered by the customer is compared using a microprocessor (43) (see Fig. 3 and Col. 6, lines 16-19), the data is stored on registers on the microprocessor while performing the comparison operation- hence, the data entered by the customer is stored data.

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Regarding Claim 7, Hyde, Jr. teaches (see Fig. 3) a device for a test of acceptability for an automatic vending machine comprising at least one unit (53) for receiving a bank note, a transport/feed unit (within (53)), a digitalization unit (49, 53), a computer unit (27) (see Fig. 1 and Col. 5, lines 30-32), an image display unit (27) (see Col. 5, lines 30-39), an input unit (27) (inherently, a personal computer contains a keyboard) (see Col. 5, lines 30-32), and a unit (53, 55) for returning (see Col. 8, lines 15-17), advancing (see Col. 8, lines 21-26), collecting (see Col. 8, lines 63-64), and stacking (collecting multiple bank notes within the ATM machine) the bank notes, wherein at least the unit for receiving a bank note and the image display unit are disposed in one location (see Col. 4, lines 44-46 and Col. 5, lines 30-33).

Regarding Claim 2, Hyde, Jr. teaches digitizing of the bank note by scanning (see Col. 8, lines 18-21).

Regarding Claim 3, Hyde, Jr. teaches performing an image data comparison in the form of data comparison (inherent within an optical-character-recognition (OCR) process in which a scanned pattern is digitally compared to a digital representation of an alphanumeric character) (see Col. 8, lines 33-36).

Regarding Claim 5, Hyde, Jr. teaches the service employee on a personal computer (see Col. 5, lines 30-32) registering the final decision regarding acceptance (see Col. 5, lines 38-39)-inherently, a personal computer contains a keyboard in which to receive input from a user, and the service employee uses the personal computer's keyboard to convey the decision of acceptance.

Regarding Claim 8, Hyde, Jr. teaches the digitalization unit as a scanner (53) (see Col. 8, lines 18-21).

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Regarding Claim 9, Hyde, Jr. teaches the digitalization unit as a digital camera (49) (inherently, the camera is digital, as its image is transmitted and displayed on the personal computer (see Col. 3, lines 27-30)).

Regarding Claim 10, Hyde, Jr. teaches the image display unit as a monitor (on the personal computer (27)).

Regarding Claim 11, Hyde, Jr. teaches the service employee on a personal computer (see Col. 5, lines 30-32) registering the final decision regarding acceptance (see Col. 5, lines 38-39)- inherently, a personal computer contains a keyboard in which to receive input from a user, and the service employee uses the personal computer's keyboard to convey the decision of acceptance.

Regarding Claim 13, Hyde, Jr. teaches (see Fig. 3) supplementary signal units for optical (45) indicators.

Regarding Claim 14, Hyde, Jr. teaches all the units disposed in one location (see Fig. 1 and Col. 4, lines 44-46 and Col. 5, lines 30-33).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 6, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hyde, Jr.

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Regarding Claim 4, Hyde, Jr. teaches the method as taught in Claim 1, according to the appropriate paragraph above. Hyde, Jr. does not teach performing a detailed inspection of adjustable parameters to automatically render a preliminary decision between a direct rejection and an employee decision. It is well known in the art to adjust the brightness and contrast in a scanned image to improve the detectability of image patterns. It would have been obvious to one of ordinary skill in the art at the time the invention was made to inspect the brightness and contrast parameters of the scanned image to render another decision before an employee decision in the method of Hyde, Jr., to optimize the scanning process and prevent unnecessary use of human intervention in a mostly-automated process.

Regarding Claim 6, Hyde, Jr. teaches the method as taught in Claim 1, according to the appropriate paragraph above. Hyde, Jr. also teaches the visual inspection by a service employee when the OCR scanned check amount does not match the customer-entered amount (see Col. 10, lines 23-33). Hyde, Jr. does not teach automatically marking the area of deviation prompting the negative automatic decision. It is well known in the art that OCR programs isolate specific characters within a document which encounter recognition problems and ask a user to manually identify the character. It would have been obvious to one of ordinary skill in the art at the time the invention was made to mark the area of deviation on the scanned image prompting the negative automatic decision, to simplify the verification process for the service employee by concentrating on the specific character(s) which encounter the recognition difficulties so the service employee can easily check if the scanned character matches the numeric digit entered by the customer.

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Regarding Claim 12, Hyde, Jr. teaches the device as taught in Claim 7, according to the appropriate paragraph above. Hyde, Jr. also teaches (see Fig. 3) supplementary signal units for optical (45) indicators. Hyde, Jr. does not teach supplementary signal units for acoustic indicators. It is well known to use acoustic indicators in automated teller machines, to provide service for visually-impaired or illiterate customers. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use acoustic indicators in the device of Hyde, Jr., to provide full usage of the device for customers with special requirements.

Response to Arguments

1. Applicant's arguments filed May 27, 2003 have been fully considered but they are not persuasive.

Regarding Claims 1-6, Applicant argues that Hyde reference does not teach the data entered by the customer as a "stored data". Examiner asserts that according to Hyde's schematic of the transaction module (23) in Fig. 3, only the microprocessor controller (43) (see Col. 6, lines 16-19) contains the processing requirements to perform the comparison between the scanned amounts and the customer-entered amounts. Inherently, a microprocessor stores a first and second value in memory or registers before performing a comparison operation on the two values. Therefore, the customer-entered amount is considered a "stored data" as it is stored within the memory of the microprocessor before being compared with the scanned/OCR data.

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Regarding Claims 7-14, Applicant argues that Hyde reference does not teach the unit for receiving a bank note and the image display unit disposed in one location. Examiner asserts that Hyde teaches the unit for receiving a bank note and the image display disposed in one location, in Col. 4, lines 44-46 and Col. 5, lines 30-33, such as a bank or retail location.

Conclusion

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Yam whose telephone number is (703)306-3441. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on (703)308-4852. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703)308-7724 for regular communications and (703)308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

SY

SY

August 4, 2003


DAVID PORTA
SUPERVISORY PATENT EXAMINER
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